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CLERK US DIST. COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY ____ DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Gloria Raquel GASPAR Aka: Gloria Raquel Thomas-Gaspar** Defendant.	Magistrate Case No. '07 MJ 2352 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(1)(A)(iv)-Inducing and Encouraging Illegal Alien To Enter the United States

The undersigned complainant being duly sworn states:

On or about **September 30, 2007**, within the Southern District of California, defendant **Gloria Raquel GASPAR**, did encourage and induce an alien, namely **Lizbeth OROZCO-Rivera** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, U.S. Customs
And Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF **OCTOBER** 2007. at 9:10 a.m.

UNITED STATES MAGISTRATE JUDGE

CPH

PROBABLE CAUSE STATEMENT

The complainant states that **Lizbeth OROZCO-Rivera** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On September 30, 2007, at approximately 2354 hours, **Gloria Raquel Gaspar (Defendant) aka: Gloria Raquel Thomas-Gaspar** made application for admission into the United States from Mexico at the San Ysidro Port of Entry pedestrian lanes. Defendant was accompanied by her juvenile sister and a female later identified as **Lizbeth OROZCO-Rivera (Material Witness).** All three subjects approached a U.S. Customs and Border Protection (CBP) Officer for inspection. Material Witness presented a California birth certificate and Mexican National Education System Certificate bearing the name Aracely Andrade. The CBP officer asked Material Witness in English where she was born and Material Witness was unable to answer. Defendant told the officer that Material Witness is her cousin and was born in the United States, however was raised in Mexico. Material Witness then stated in Spanish to the CBP officer that she was born in the United States. Defendant told the inspecting officer that Material Witness was coming to the United States to attend school. Suspecting Material Witness was falsely claiming United States citizenship, the CBP officer referred all subjects to secondary for further inspection.

In secondary, Material Witness admitted her true name and was determined to be a citizen of Mexico with no entitlements to enter the United States.

During a videotaped proceeding Defendant was advised of her Miranda rights. Defendant acknowledged her rights and elected to answer questions without an attorney present. During a subsequent interview, Defendant denied knowledge Material Witness was an undocumented alien. Defendant stated she thought Material Witness was a United States citizen and the daughter of her godmother, Araceli Barrera. Defendant stated she picked up Material Witness at the Tijuana Airport and was escorting her to a residence in San Ysidro, California.

A videotaped interview was conducted with Material Witness. Material Witness stated she is a citizen of Mexico and has no documents to lawfully enter the United States. Material Witness stated a friend referred her to the Defendant to be smuggled into the United States. Material Witness stated a friend took her to Defendant's home in Tijuana where the smuggling arrangements were made. Material Witness stated the Defendant gave her a Birth Certificate and a Mexican National Education System Certificate bearing the name Aracely Andrade and told her to memorize the information. Material Witness stated she was to the pay the Defendant $2,600.00 U.S. dollars to be smuggled into the United States. Material Witness stated she intended to travel to San Bernardino, California to seek employment.